

Regular Session, 2003

ACT No. 532

SENATE BILL NO. 53

BY SENATOR FIELDS AND REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:866(A)(3) is hereby amended and reenacted to read as follows:

§866. Compulsory motor vehicle liability security; failure to comply; limitation of damages

A. * * *

(3)(a) The limitation of recovery provisions of this Subsection do not apply if the driver of the other vehicle:

~~(a)~~(i) Is cited for a violation of R.S. 14:98 as a result of the accident and is subsequently convicted of or pleads nolo contendere to such offense.

~~(b)~~(ii) Intentionally causes the accident.

~~(c)~~(iii) Flees from the scene of the accident.

~~(d)~~(iv) At the time of the accident, is in furtherance of the commission of a felony offense under the law.

R.S. 32:866(A)(3)(b) is all new law.

(b) The limitation of recovery provisions of this Subsection do not apply if at the time of the accident, the other vehicle is not being operated and the vehicle is not in violation of the provisions of Chapter 1 of this Title.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____